

CONFIDENTIAL

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| DEPARTMENT OF CORRECTION BUREAU OF PRISONS Procedures | PROCEDURE NUM 8.30 | PAGE NUMBER 1 of 3 |
| CHAPTER: 8 ADMINISTRATION | RELATED ACA STANDARD: SUBJECT: USE OF FORCE/DEADLY FORCE | |
| APPROVED BY: | <i>Carl W. Howard</i> | |
| EFFECTIVE DATE: 11/1/98 | REVISED: | |

1. AUTHORITY: 11 Del Code s 464, 465, 467, 468, 469, 470, 6517; 29 Del Code ss 8903. DOC Policies 8.30 & 8.31 BOP Policy 8.8
11. PURPOSE: To establish standards for the use of non-deadly force/deadly force.
111. APPLICABILITY: All Bureau of Prisons Employees
- IV. DEFINITIONS:
 - A. Force - Physical contact or threat of physical contact with an inmate or inmates to control behavior and/or enforce order.
 - B. Non-deadly Force - Force that is not likely to result in death and/or serious physical injury.
 - C. [REDACTED]
 - D. [REDACTED]
 - E. [REDACTED]
 - F. [REDACTED]
 - G. Inmate - All individuals in the custody of the Department of Correction, Bureau of Prisons.
- V. PROCEDURE: Whenever possible the use of force should be avoided. The use of force is authorized only when no other reasonable alternative is available. Staff are to act in a manner to defuse the situation, offering alternative actions and possible inmate reactions to resolve a conflict situation without using force. Force is justified when there are no safe and reasonable alternatives to maintain or regain control to prevent death or personal injury, to prevent serious damage to property or to prevent escape. Incidents requiring the use of force should, whenever possible, be handled utilizing the institution's Quick Response Team (QRT) or Correctional Emergency Teams (CERT)

- A. [REDACTED] P
- B. NON-DEADLY FORCE: Non-deadly force equipment may be applied in amounts necessary to gain control of a resisting inmate(s), and shall not be applied for capricious, retaliatory or punitive reasons. Examples of Non-Deadly Force equipment to be utilized may include, but is not

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limited to, physical restraints (hard and soft), use of chemical agents, Capstun, canine, electronic control devices, PR-24's or batons for those trained in their use, department approved self-defense techniques or strikes to areas of the body unlikely to result in serious physical injury. Reasonable non-deadly force may be used in the following situations:

- 1) Self defense
- 2) Defense of others
- 3) Prevention of suicide
- 4) Maintenance of order in the facility including prevention of damage to state property
- 5) Prevention of an escape
- 6) Prevent the commission of a felony

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| / MANUAL | / OPR: On-duty Shift Commander | / |
| / CHAPTER: 8 | / SUBJECT: USE OF FORCE | / |
| / ADMINISTRATION | / | / |
| / APPROVED BY WARDEN: | / <i>J E Dugay</i> | / |
| / EFFECTIVE DATE: | / 8-16-95 | / |

- I. Authority: Department of Correction policy 8.30.
- II. Purpose: To set forth procedures on the use of force through the employment of security equipment, aids, devices or techniques by institution staff members in the lawful performance of their duties. Conditions under which force is used will be a realistic evaluation of the actual need for that application, on a case by case basis.
- III. Applicability: To all employees.
- IV. Policy:
- A. Authority for the use of force through the employment of security equipment, aids, devices or techniques shall rest with on-duty Shift Commander. Institution staff can be authorized to use force when:
1. Prevent an escape that is in progress and/or when it is evident that an escape may ensue.
 2. Prevent the committing of an offense(s) by violent or unruly inmates.
 3. Prevent serious injury or loss of life when it is evident that there is a danger to life or limb, and all other means have failed.
 4. Prevent extensive or willful destruction or damage to property.
- NOTE: In an emergency where it is not possible or practical to seek authorization, an employee may be required to use appropriate force and later justify that action. In all instances the on-duty Shift

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